

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

February 29, 2000

FROM: JERRY JAMRISKA, Interim Director
Land Use Services Department/Planning Division

**SUBJECT: GENERAL PLAN LAND USE DISTRICT AMENDMENT, TRACT #16062;
APPLICANT: QUICK PRODUCTION LLC (GERALD LAVITT) FILE/INDEX:
GPA/99/W154-93, SUB/99/W154-93/TT16062; FONTANA**

RECOMMENDATION: 1) **DECLARE AN INTENT TO:** a) **ADOPT** the General Plan Land Use District Amendment from Multiple Residential, 7000 sq. ft minimum lot area per dwelling unit (7m-RM) to Single Residential (RS) located on the southwest corner of Elm Ave. and Randall Ave., b) **APPROVE** Tentative Tract 16062 for 41 residential lots with 2 "remainder parcels", subject to conditions of approval; c) **APPROVE** a Major Variance for a variable height wall up to a maximum of 9 feet along the west and east property lines; d) **ADOPT** the Findings; e) **ADOPT** the Negative Declaration; and f) **FILE** a Notice of Determination. 2) **CONTINUE** for final adoption with the First Cycle 2000 General Plan Amendments.

BACKGROUND INFORMATION: On January 20, 2000, the Planning Commission conducted a hearing and voted unanimously to recommend approval of the General Plan Amendment (GPA) to change the Official Land Use District (OLUD) from Multiple Residential 7000 sq. ft. minimum area lot area per dwelling unit (7m-RM) to Single Residential 7,200 (RS) to allow the development of Tentative Tract 16062, a 41-lot single family residential subdivision. This project, located on the southwest corner of Randall Ave. and Elm Ave., comprised of six parcels, is a single family residential "in-fill" tract surrounded mostly by single family residences on all sides, although undeveloped Multiple Residential designated lots remain to the south and west.

The Commission also supported the approval of the Major Variance to allow variable wall height from 6 feet up to a maximum of 9 feet along portions of the west and east property lines, and at the rear of several lots that adjoin existing church property to the west. Because the project site is relatively flat, it is necessary for some of the lots to be elevated to achieve proper drainage to proposed Marcona Ave. and thence back to Elm Ave. Other subdivisions in this Fontana area with similar design, drainage and topographic concerns have been granted variances for wall height. During the Planning Commission hearing, it was clarified that some of the boundaries of this tract would have concrete walls installed, as shown on the tentative tract map.

Record of Action of the Board of Supervisors

QUICK PRODUCTION LLC (Gerald Lavitt)

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The proposed concrete perimeter walls will not be exposed on Elm or Randall Ave. and, therefore, graffiti will not be an issue of concern. Only the pastor from the church adjacent to the west of the project site spoke during the hearing and expressed appreciation that the developer has agreed to replace the existing deteriorated wood fences along the previously developed tract to the west of the church property. The applicant agreed during the hearing to replace these off-site fences adjacent to the church with concrete walls. The commissioners agreed that wood fences do not survive well in this area and that concrete walls should be constructed on project boundaries.

The applicant has agreed to install off site road improvements on the west side of Elm Ave. in front of the existing not-a-part (NAP) and remainder parcels, in addition to the standard street improvements for the project, as stated in Condition #68. These street improvements will significantly improve the condition of Elm Ave. and respond to three letters from neighboring property owners regarding the poor condition of the street and lack of sidewalks. Although, in response to the traffic study prepared for the project, the Traffic Division did *not* require a Traffic Mitigation fee, the applicant agreed to pay the fee as specified in condition #34 at the request of the Commission. The Commission recommended that the fee, identified in the Traffic Study, be contributed to help improve the intersection and eventually install a signal. Due to the elevation differential, distance from City sewers, and design limitations, a sewer hook-up for this property is not feasible and the applicant will be participating in a Sewer Offset Program that allows on site septic systems, if all requirements are met.

The Initial Environmental Study was completed and determined that there was no significant effect on the environment from the project. A Negative Declaration is therefore proposed, with a de Minimus Fish and Game finding, because no native habitat exists on this disturbed project site.

REVIEW BY OTHERS: This item was reviewed by the Planning Commission and Deputy County Counsel Robin Cochran on January 20, 2000.

FINANCIAL IMPACT: N/A

SUPERVISORIAL DISTRICT(S): 2nd

PRESENTER: Ina A. Petokas